

256E.5 Founding group-state board model.

1. A founding group may apply to the state board for approval to establish and operate a charter school within the boundaries of the state that operates as a new attendance center independently from a public school district. The application shall demonstrate the founding group's academic and operational vision and plans for the proposed charter school, demonstrate the founding group's capacity to execute the vision and plans, and provide the state board a clear basis for assessing the founding group's plans and capacity.

2. The state board shall adopt rules to establish appropriate application timelines and deadlines for the submission of charter school applications under [this section](#).

3. The instructions for completing an application shall include or otherwise inform applicants of all of the following:

a. The performance framework adopted by the state board for charter school oversight and evaluation requirements in accordance with sections [256E.9](#) and [256E.10](#).

b. The criteria the state board will use in evaluating applications.

c. The requirements concerning the format and content essential for applicants to demonstrate the capacities necessary to establish and operate a successful charter school.

4. The applications submitted under [this section](#) shall also include all of the following items related to the proposed charter school:

a. An executive summary.

b. The mission and vision of the proposed charter school, including identification of the targeted student population and the community the school intends to serve.

c. The location of the proposed charter school or the proposed geographic area within the state where the school is proposed to be located.

d. Identification of the grades to be served each school year during the duration of the charter school contract.

e. Minimum, planned, and maximum enrollment per grade for each school year during the duration of the charter school contract.

f. Evidence of need and community support for the proposed charter school.

g. Background information on the members of the founding group and background information on the governing board, administration, and management personnel of the proposed charter school, if available.

h. The charter school's proposed operations calendar and sample daily schedule.

i. A description of the academic program and identification of ways the program aligns with state academic standards.

j. A description of the charter school's instructional model, including the type of learning environment, class size and structure, curriculum overview, and teaching methods.

k. The charter school's plan for using internal and external assessments to measure and report student progress on the performance framework in accordance with [section 256E.9](#).

l. Plans for identifying and serving students with disabilities, students who are limited English proficient, students who are academically failing or below grade level, and gifted students, including but not limited to compliance with applicable laws and regulations.

m. A description of cocurricular and extracurricular programs and how the programs will be funded and delivered.

n. Plans and timelines for student recruitment, enrollment, and transfers, including enrollment preferences and procedures for conducting transparent admissions selections, including admissions lotteries.

o. The proposed code of student conduct, including applicable procedures and disciplinary sanctions for both general students and special education students.

p. A chart or description of the charter school's organizational structure and the duties and powers of each position or group, including the delineation of authority and reporting between the governing board, staff, and any related bodies or external organizations that have a role in managing the charter school.

q. A staffing chart for the charter school's first year and a staffing plan for the duration of the charter school contract.

r. Plans for recruiting and developing school administrators, staff, and governing board

members and the charter school's employment policies, including performance evaluation plans.

- s. Proposed governing bylaws for the charter school.
 - t. Identification and explanation of any partnerships or contractual relationships with an education service provider that are related to the charter school's operations or mission.
 - u. The charter school's plans for providing transportation services, food service, and all other operational or ancillary services.
 - v. Proposed opportunities and expectations for parent involvement.
 - w. A detailed school start-up plan and five-year plan, including all relevant assumptions used, identifying timelines for charter school finances, budget, and insurance coverage, facility construction, preparation, and contingencies, and the identification of persons or positions responsible for each such item.
 - x. Evidence of anticipated fundraising contributions, if any.
 - y. If the application includes a proposal that the governing board contracts with an education service provider, evidence of the education service provider's success in serving student populations similar to that which is proposed in the application and if the education service provider operates other charter schools, evidence of past performance of such other charter schools and evidence of the education service provider's capacity for growth.
 - z. If the application includes a proposal that the governing board contracts with an education service provider, a description of the education service provider's staff performance evaluation measures and compensation structure, methods of contract oversight and dispute resolution, investment disclosures, and conflicts of interest.
 - aa. A proposed duration and outline of the charter school contract, including designation of roles, authority, and duties of the governing board and the charter school staff.
 - ab. The specific statutes and administrative rules with which the charter school does not intend to comply. The department shall provide technical assistance to the applicant concerning statutes and administrative rules that may be waived under the charter school contract in order to facilitate the goals of the charter school.
5. In reviewing and evaluating charter school applications, the state board shall employ procedures, practices, and criteria consistent with nationally recognized principles and standards for reviewing charter school applications. Each application review shall include thorough evaluation of the written application, an in-person interview with the applicant, and an opportunity in a public forum for local residents of the public school district within which the applicant proposes to locate the charter school to learn about and provide input on each application.
6. Following review of a charter school application and completion of the process required under [subsection 5](#), the state board shall do all of the following:
- a. Approve a charter school application only if the applicant has demonstrated competence in each element of the state board's published approval criteria and the applicant is likely to open and operate a successful charter school.
 - b. Make application decisions on documented evidence collected through the application review process.
 - c. Adhere to the policies and criteria that are transparent, based on merit, and avoid conflicts of interest or any appearance thereof.
7. A charter school application under [this section](#) shall not be approved if the founding group has another pending application under [this section](#).
8. The state board shall approve a charter school application if the application satisfies the requirements of [this chapter](#). The state board shall approve or deny a charter school application no later than seventy-five calendar days after the application is received. If the state board denies an application, the state board shall provide notice of denial to the applicant in writing within thirty days after board action. The notice shall specify the exact reasons for denial and provide documentation supporting those reasons. An approval decision may include, if appropriate, reasonable conditions that the applicant must meet before a charter school contract may be executed pursuant to [section 256E.6](#). An approved charter application shall not serve as a charter school contract.
9. An unsuccessful charter school applicant may subsequently reapply to the state board.

10. A decision of the state board relating to an application under [this section](#) is not appealable.

[2021 Acts, ch 112, §5](#)

NEW section